

2684



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b>  <small>(to be used for all correspondence after initial filing)</small>	Application Number	09/929,979
	Filing Date	August 15, 2001
	First Named Inventor	Noah J. Temullo
	Art Unit	2684
	Examiner Name	Alan T. Gantt
Total Number of Pages in This Submission	Attorney Docket Number	12078-141

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement  <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Supplemental IDS Letter; Form PTO-1449; copies of references (4); check-\$180; return postcard.
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm Name	Perkins Smith & Cohen LLP		
Signature			
Printed name	Jacob N. Erlich		
Date	February 25, 2005	Reg. No.	24,338

CERTIFICATE OF TRANSMISSION/MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Jacob N. Erlich	Date	February 25, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (10-04)

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# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ ) 180.00

**Complete if Known**

Application Number	09/929,979
Filing Date	August 15, 2001
First Named Inventor	Noah J. Ternullo
Examiner Name	Alan T. Gantt
Art Unit	2684
Attorney Docket No.	12078-141

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account: (deficiencies only)Deposit  
Account  
Number  
Deposit  
Account  
Name

03-2410 (Order 12078-141)

Perkins Smith &amp; Cohen LLP

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)		
1001	790	2001	395	Utility filing fee	
1002	350	2002	175	Design filing fee	
1003	550	2003	275	Plant filing fee	
1004	790	2004	395	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)				(\$ ) 0	

**2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE**

	Extra Claims	Fee from below	Fee Paid
Total Claims	-20** =	X	
Independent Claims	-3** =	X	
Multiple Dependent			

Large Entity		Small Entity		Fee Description
Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	
1202	18	2202	9	Claims in excess of 20
1201	88	2201	44	Independent claims in excess of 3
1203	300	2203	150	Multiple dependent claim, if not paid
1204	88	2204	44	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)				(\$ ) 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	430	2252	215	Extension for reply within second month	
1253	980	2253	490	Extension for reply within third month	
1254	1,530	2254	765	Extension for reply within fourth month	
1255	2,080	2255	1,040	Extension for reply within fifth month	
1401	340	2401	170	Notice of Appeal	
1402	340	2402	170	Filing a brief in support of an appeal	
1403	300	2403	150	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,370	2501	685	Utility issue fee (or reissue)	
1502	490	2502	245	Design issue fee	
1503	660	2503	330	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	790	2809	395	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR 1.129(b))	
1801	790	2801	395	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 180.00

**SUBMITTED BY**

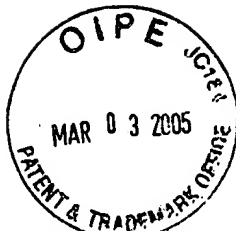
(Complete if applicable)

Name (Print/Type)	Jacob N. Erlich	Registration No. (Attorney/Agent)	24,338	Telephone	617-854-4000
Signature		Date	February 25, 2005		

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This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

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## CERTIFICATE OF MAILING

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Jacob N. Erlich  
Reg. No. 24,338

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Noah J. Ternullo et al.

Application Serial No. 09/929,979

Filed: August 15, 2001

Title: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A  
HANDHELD DEVICE

Confirm. No. 2164

Group Art Unit: 2684

Examiner: Alan T. Gantt

PERKINS SMITH & COHEN LLP  
One Beacon Street, 30<sup>th</sup> Floor  
Boston, Massachusetts 02108  
(617) 854-4000

To: Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

### SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Supplemental Information Disclosure Statement (Form PTO-1449) is submitted under 37 CFR 1.97(c)(2), including copies of the cited references. The required fee of \$180.00 is enclosed herewith. In addition, The Commissioner for Patents is authorized to charge any additional fees or credit overpayment to Deposit Account No. 03-2410, Order No. 12078-141.


The following information is presented in the event that a call may be deemed desirable by the Examiner:

JACOB N. ERLICH (617) 854-4000.

Respectfully submitted,  
Noah J. Ternullo et al., Applicants

Dated: February 25, 2005

By:

  
Jacob N. Erlich  
Reg. No. 24,338  
Attorney for Applicants



**FORM PTO-1449**  
**U.S. DEPARTMENT OF COMMERCE**  
**PATENT AND TRADEMARK OFFICE**

APPLICATION SERIAL NO.: 09/929,979

GROUP ART UNIT: 2684

APPLICANT: Noah J. Ternullo et al.

EXAMINER: Alan T. Gantt

FILING DATE: August 15, 2001

CONFIRMATION NO.: 2164

RE: METHOD AND APPARATUS FOR DETERMINING THE CONTEXT OF A  
 HANDHELD DEVICE

**U.S. PATENT DOCUMENTS**

EXAMINE R INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB- CLASS	FILING DATE IF APPROPRIATE
	5,260,938	11/9/1993	Hofmann	370/269	5/21/1991
	5,873,045	2/16/1999	Lee et al.	455/556.2	10/29/1997
	6,101,486	8/8/2000	Roberts , et al.	705/27	4/20/1998
	6,643,510	11/4/2003	Taylor	455/431	8/29/2001*

**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS/SUB- CLASS	TRANSLATION YES NO

**OTHER DOCUMENTS**

(Including Author, Title, Date, Pertinent Pages, etc.)

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\* These patents are representative of the state of the art but published after or less than one year prior to Applicant's priority date. Therefore, if any such item is considered sufficiently relevant by the Examiner to the present invention, its possible "prior art" status against the present invention should be considered individually allowing for the prospect of swearing back or other priority determination.

**EXAMINER****DATE CONSIDERED**